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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/871,348	05/30/2001	Annette M. Abbott	INF245/00333A	9568
24118	7590	04/07/2005	EXAMINER	
HEAD, JOHNSON & KACHIGIAN 228 W 17TH PLACE TULSA, OK 74119			TIV, BACKHEAN	
			ART UNIT	PAPER NUMBER
			2151	

DATE MAILED: 04/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/871,348	Applicant(s) ABBOTT ET AL.	
	Examiner Backhean Tiv	Art Unit 2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3 and 4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3 and 4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

Claims 1,3,4 are pending in this application. Claims 2,5,6 were cancelled in the amendment filed on 12/6/04.

Claim Objections

Claims 1,3,4 are objected to because of the following informalities:

Claims 1,3,4 recites the limitation, "wherein said said program,-adapts", there should only be one "said". The comma should also be taken out to read, "wherein said program adapts."

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1,3,4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1,3,4 recites the limitation "said program". There is insufficient antecedent basis for this limitation in the claim. Does applicant mean, "individual continuing education requirements program"? or Does the applicant mean, "a software program"?

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1,3,4 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6,546,230 issued to Allison in view of US Patent 6,157,808 issued to Hollingsworth in further view of US Patent 5,884,325 issued to Bauer et al.(Bauer).

As per claim 1, Allison teaches a computer system to facilitate the management and communications at institutional, regulatory and individual user community continuing education requirements, said system comprising:
a general purpose computer(col.2, lines 8-9);
a central processing unit connected to said general purpose computer and having several memory that stores an institutional, regulatory and individual continuing education requirements program and information about an individual's current licensing or certifying status, employment and continuing education programs completed(Figs.1-4, col.1, lines 33-55, col.2, lines 24-43); wherein said program adapts said central processing unit to facilitate and manage communication between said general purpose computer and a plurality of user communities comprising employers, employees and a plurality of sources of institutional, regulatory and continuing education programs and certifications, said communication addressing said communities individualized continuing education requirements such that an individual, a licensing entity, a certifying entity, an employer and a continuing education provider(Figs.1-4, col.2, lines 24-43).)
and wherein said adapted central processing unit's facilitation and management of

communication comprises:

associated continuing education requirements(Fig.8, the training courses is interpreted as continuing education requirements) and

- (b) identifying and managing continuing education content provider (col.8, lines 28-35; the competency test server or the course server at the central training facility is the continuing education content provider);
- (c) identifying and managing continuing education accrediting agency identified relationships (col.2, lines 39-42; the state licensing entity is the accrediting agency);
- (d) identifying and managing professional association identified relationships (col.2, lines 39-42; the other organization to provide health care professional's transcript is the professional association);
- (e) identifying and managing individual professional identified relationships (col.11, lines 1-10; the user's profile with the user's name, profession and any area of specialty is the individual professional identified relationships);
- (f) identifying and managing regulatory agency identified relationships (col.11, lines26-34; the certifying organization is the regulatory agency);
- (h) identifying functions and facilitating administrative support and database maintenance(col.5, lines 30-51).

However Allison does not explicitly teach identifying and managing employer identified relationships and identifying and managing business entity identified relationships.

Hollingsworth teaches identifying and managing employer identified relationships (col.7, lines 32-46 ;the employee certification table which keeps track of employee certification is interpreted as employer identified relationships) and identifying and managing business entity identified relationships(col.3, lines 33-40; the identification of skills and licenses which an employee needs to become competent or certified for a given trade or job is interpreted as business entity identified relationships).

Therefore it would have been obvious to one ordinary skilled in the art at the time of the invention to modify the system of Allison to explicitly add identifying and managing employer identified relationships and identifying and managing business entity identified relationships as taught by Hollingsworth in order to have high quality, job related instructions to employees (Hollingsworth, col.1, lines14-16).

One skilled in the art would have been motivated to combine Allison and Hollingsworth in order to provide a system to display relations that exist between an employee and the tasks, skills, learning objectives and referenced based objective and criteria required for a defined minimum competence(Hollingsworth, col.2, lines 32-36).

Allison in view of Hollingsworth does not teach a central database to store and update information.

Bauer teaches a central database to store and update information(col.6, lines 57-67).

Therefore it would have been obvious to one ordinary skilled in the art at the time of the invention to modify the system of Allison in view of Hollingsworth of a central processing unit connected to said general purpose computer and having several

memory that stores an institutional, regulatory and individual continuing education requirements program and information about an individual's current licensing or certifying status, employment and continuing education programs completed to have all the data be stored and update at a central database as taught by Bauer in order to access the information easily and have the latest information.

One ordinary skilled in the art would have been motivated to combine Allison, Hollingsworth, and Bauer to provide a system for centralized updated information.

As per 3, the system of claim 1 wherein said general purpose computer further comprises a video display and input device, said video display and input device configured to facilitate user interaction with said central processing unit(Allison, col.3, line 60-col.4, line 5).

As per claim 4, the system of claim 1 further comprising at least one database communicably attached to said general purpose computer(Allison, Fig.1, element 88 and element 24).

Response to Arguments

Applicant's arguments with respect to claims 1,3,4 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Backhean Tiv whose telephone number is (571)272-3941. The examiner can normally be reached on 9 A.M.-12 P.M. and 1 -6 P.M. Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on (571) 272-3939. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BT

Backhean Tiv
2151
3/23/2005


ZARNI MAUNG
SUPERVISORY PATENT EXAMINER